

House File 2396 - Introduced

HOUSE FILE 2396
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2295)

A BILL FOR

1 An Act relating to the misrepresentation of a person as an
2 owner or trainer of a service dog or assistive animal and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 216C.11, Code 2018, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 4. a. As used in this subsection, "owner"
4 means any person with a disability who owns a service dog or
5 assistive animal, or a person who is authorized by a person
6 with a disability to use a service dog or assistive animal to
7 assist a person with a disability by controlling the service
8 dog or assistive animal.

9 b. A person who knowingly and fraudulently misrepresents
10 oneself through verbal or written notice as an owner or trainer
11 of a service dog or an assistive animal is, upon conviction,
12 guilty of a simple misdemeanor.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill criminalizes the knowing and fraudulent
17 misrepresentation of a person as an owner or trainer of
18 a service dog or assistive animal. The bill would make
19 this offense a simple misdemeanor. A simple misdemeanor is
20 punishable by confinement for no more than 30 days or a fine of
21 at least \$65 but not more than \$625 or by both.

22 The bill amends Code section 216C.11. A person commits the
23 offense of knowingly and fraudulently misrepresenting oneself
24 as the owner or trainer of a service dog or assistive animal,
25 if the person knowingly and fraudulently represents oneself,
26 through verbal or written notice, to be the owner or trainer of
27 a service dog or assistive animal.

28 Code chapter 216C.11 defines a service dog as a dog specially
29 trained to assist a person with a disability, whether described
30 as a service dog, a support dog, an independence dog, or
31 otherwise, and assistive animal as a simian or other animal
32 specially trained or in the process of being trained to assist
33 a person with a disability. The bill defines an owner as any
34 person with a disability who owns a service dog or assistive
35 animal, or a person who is authorized by a person with a

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1 disability to use a service dog or assistive animal to assist
2 a person with a disability by controlling the service dog or
3 assistive animal.